

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

JUDITH A. PHILLIPS,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

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CIVIL NO. 1:08CV43

ORDER

THIS MATTER is before the Court on Plaintiff's "Application for Attorney Fees under the Equal Access to Justice Act," filed on July 3, 2008.

By Response, filed on July 7, 2008, Defendant advises that the Commissioner will not oppose Plaintiff's motion for an award of legal fees in the amount of \$1,276.56, plus \$350.00 for the initial filing fee and \$16.14 for mailing, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d).

IT IS, THEREFORE, ORDERED that the Plaintiff's "Application for Attorney Fees under the Equal Access to Justice Act," is **GRANTED**, and counsel for Plaintiff shall be paid **ONE THOUSAND, TWO HUNDRED SEVENTY-SIX DOLLARS AND FIFTY-SIX CENTS (\$1,276.56)** for attorney fees and **THREE HUNDRED SIXTY-SIX DOLLARS AND FOURTEEN CENTS (\$366.14)** for costs incurred in this matter.

IT IS FURTHER ORDERED that no additional petition pursuant to 28 U.S.C. § 2412(d) may be filed.

Signed: July 8, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

